

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ana Burcroff	Team: Team # 6	CCRB Case #: 200300950	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/31/2003 2:35 PM	Location of Incident: St. Johns Place and Albany Ave	Precinct: 77	18 Mo. SOL 7/31/2004	EO SOL 7/31/2004	
Date/Time CV Reported Fri, 01/31/2003 2:35 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 02/06/2003 4:40 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. SGT Frank Frontera	02383	881805	077 PCT
3. POM Kevin Matthews	24672	919361	077 PCT
4. POF Kathleen Grant	01992	917714	077 PCT
5. POM John Acconi	05075	919972	077 PCT
6. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Robert Brager	10301	922021	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Kathleen Grant	Force: PO Kathleen Grant used physical force against § 87(2)(b)	
B.POM John Acconi	Force: PO John Acconi used physical force against § 87(2)(b)	
C.POM John Acconi	Discourtesy: PO John Acconi spoke obscenely and/or rudely to § 87(2)(b)	
D.SGT Frank Frontera	Discourtesy: Sgt. Frank Frontera spoke obscenely and/or rudely to § 87(2)(b)	
E.POM Kevin Matthews	Discourtesy: PO Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)	
F.POM Kevin Matthews	Discourtesy: Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)	
G.POM Kevin Matthews	Discourtesy: Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)	
H. Officers	Discourtesy: Officers spoke obscenely and/or rudely to individuals.	

Officer(s)	Allegation	Investigator Recommendation
I. An officer	Abuse: An officer threatened to arrest § 87(2)(b)	
J.SGT Frank Frontera	Abuse: Sgt. Frank Frontera authorized the strip-search of § 87(2)(b)	

Synopsis

§ 87(2)(b) filed this complaint on behalf of her § 87(2)(b)-year-old daughter, § 87(2)(b). On January 31, 2003, § 87(2)(b) and § 87(2)(b) were arrested on the corner of St. John's Place and Albany Avenue in Brooklyn for § 87(2)(b). § 87(2)(b) was uncooperative with the investigation, and § 87(2)(b) was unavailable. § 87(2)(b) alleged that an officer, identified through the investigation as PO John Acconi of the 77th Precinct Street Narcotics Enforcement Unit, pulled her arm while she was rear handcuffed, causing pain (Allegation B) and that a female officer, PO Kathleen Grant, also used excessive force against her (Allegation A). § 87(2)(b) her mother, § 87(2)(b) and aunt, § 87(2)(b) made discourtesy allegations against specific officers (Allegations C, D, E, F, G). The § 87(2)(b) family further alleged that officers used profanity while dispersing the crowd, making statements such as, "Back the fuck up" (Allegation H). § 87(2)(b)'s brother, § 87(2)(b), alleged that an officer threatened to arrest him (Allegation I). Finally, § 87(2)(b) was strip-searched at the 77th Precinct (Allegation J).

This complaint was ineligible for the mediation program because § 87(2)(b) was arrested and strip-searched.

§ 87(2)(g)
[REDACTED]

Summary of Complaint

§ 87(2)(b) filed this complaint through IAB on January 31, 2003. The complaint was forwarded to CCRB and received on February 6, 2003. § 87(2)(g) [REDACTED]. She stated to IAB, but not CCRB, that her daughter, § 87(2)(b) was thrown on top of a police vehicle, and that an officer punched her daughter in the face.

§ 87(2)(b) provided her statement to CCRB on March 26, 2003 (Encl. 10.a-d). She was interviewed at home, located at § 87(2)(b). § 87(2)(b) resides with her twin daughters, § 87(2)(b) and § 87(2)(b) (then § 87(2)(b) years old), and youngest daughter, § 87(2)(b). § 87(2)(b)'s mother and sister, § 87(2)(b) and § 87(2)(b) live upstairs in the same building, in #§ 87(2)(b).

At approximately 2:35PM on January 31, 2003, § 87(2)(b)'s daughter, § 87(2)(b) went to a bodega across the street, on the corner of St. John's Place and Albany Ave, to buy a Snapple. § 87(2)(b) and her daughter, § 87(2)(b) were sitting on the couch in their living room when § 87(2)(b) left. § 87(2)(b) looked out of the window and stated to her mother that three people were being lined up outside, and she thought her sister, § 87(2)(b) was one of them.

§ 87(2)(b) ran outside. § 87(2)(b) an individual named § 87(2)(b) a male who § 87(2)(b) knows only as § 87(2)(b) and a third male individual were standing against a storefront window in handcuffs. Eight police officers, dressed in both uniforms and plainclothes, and twenty or more civilians, were

crowded around the bodega. A female officer, identified through the investigation as PO Kathleen Grant, was standing near the handcuffed teenagers. Another officer, identified through the investigation as Sgt. Frank Frontera, stated, "I'm the sergeant, back up." A male officer in plainclothes called § 87(2)(b) over to the curb, and he explained that the other officers were going to conduct a warrant check.

The three male prisoners were placed inside of an unmarked van. PO Kathleen Grant searched § 87(2)(b) and then a male officer, identified through the investigation as PO John Acconi, pulled § 87(2)(b) by the arm towards and unmarked green car parked on the same corner.

§ 87(2)(b) said, "Ow, Ma, he's hurting my arm!" § 87(2)(b) screamed, "Why are you doing this?" § 87(2)(b)'s aunt, § 87(2)(b) who was now outside, screamed, "Why are you pulling her like that?" People in the crowd also protested. Officers ordered, "Back the fuck up, mind your business, move back." § 87(2)(b) was not certain which officers were cursing, but she thought that an officer named Greene or an officer named Brager could have been the ones (PO Greene and PO Brager identified themselves to § 87(2)(b) later on). According to § 87(2)(b) § 87(2)(b) was not providing any resistance.

PO Acconi leaned § 87(2)(b) against the side of the car, behind the rear passenger door. The rear passenger door was open. Another officer, who § 87(2)(b) believed was PO Brager, pulled § 87(2)(b) away from the car, put his right hand on the back of her head and his left hand on the base of her neck, and attempted to push her into the car. § 87(2)(b)'s body did not go into the back seat. PO Brager yelled, "Get the fuck in the car!" PO Brager slapped the left side of § 87(2)(b)'s face down with his right hand, and her body fell into the back seat of the car.

§ 87(2)(b) yelled at the officers that she was going inside to call IAB. PO Brager yelled, "My name is Brager, go ahead and tell them!" § 87(2)(b) crossed St. John's Place to go to her apartment, another officer yelled out that his name was Greene. § 87(2)(b)'s sister, § 87(2)(b) yelled, "Don't forget the sergeant! His name is Fatiro! (sic)" § 87(2)(b) went inside and called IAB.

§ 87(2)(b) believed that § 87(2)(b)'s siblings, § 87(2)(b) and § 87(2)(b) all witnessed portions of the incident. When asked if an officer said, "Shut up, smartass" to § 87(2)(b) § 87(2)(b) stated that she did not recall hearing that. When asked if she heard an officer say, "The little bitch won't get in the car," § 87(2)(b) said no.

§ 87(2)(b) was questioned about the inconsistencies in her IAB statement. § 87(2)(b) maintained that she informed IAB that an officer slapped § 87(2)(b) in the face, not punched her. § 87(2)(b) denied stating to IAB that § 87(2)(b) was thrown on top of a police vehicle.

Results of Investigation

§ 87(2)(b) was interviewed by IAB on January 31, 2003. § 87(2)(g) § 87(2)(b) mentioned two things to IAB that she did not state to CCRB. § 87(2)(b) stated that a male officer slammed her against a store window before handcuffing her, and additionally told her "don't ask any fucking questions." § 87(2)(b) mentioned to CCRB other discourteous statements that she did not state to IAB.

Medical Records (Encl. 9.5 a-n)

EMS responded to the 77th Precinct station house on January 31, 2003 to treat § 87(2)(b). According to the ACR, § 87(2)(b) informed EMS that she twisted her left arm away from her arresting officer, which resulted in pain and injury to her left elbow.

§ 87(2)(b) was transported to § 87(2)(b). She was diagnosed with mild swelling to the left elbow. § 87(2)(b) was prescribed Motrin.

§ 87(2)(b) provided her statement to CCRB on March 18, 2003 at § 87(2)(b) in Flushing, Queens (Encl. 9a.-e). The interview was not tape recorded, § 87(2)(b) usually resides at § 87(2)(b) in Brooklyn with her mother, § 87(2)(b) her twin sister, § 87(2)(b) and her younger sister, § 87(2)(b) § 87(2)(b)'s grandmother and aunt, § 87(2)(b) and § 87(2)(b) live in the same building one floor above. § 87(2)(b) is a § 87(2)(b)-year-old black female, and she usually attends school at § 87(2)(b).

On January 31, 2003, after 1:00PM, having just come back from looking for sneakers at V.I.M. on St. John's Place and Albany Avenue, § 87(2)(b) accompanied two friends, § 87(2)(b) (18) and § 87(2)(b) into the liquor store § 87(2)(b). § 87(2)(b) was in possession of \$100 that her grandmother had given her to buy new sneakers. While aware that the liquor store was a known location of drug sales, § 87(2)(b) denied buying or selling drugs inside. § 87(2)(b) stated that § 87(2)(b) remained inside of the liquor store momentarily while she and § 87(2)(b) went to the bodega next door, and she could not account for § 87(2)(b)'s actions during this time.

After purchasing juice at the bodega, § 87(2)(b) and § 87(2)(b) returned outside. § 87(2)(b) noticed an unmarked green police car parked in front of the bodega. Four male police officers, one black and three white, were seated inside of the car.

§ 87(2)(b) exited the liquor store and walked into the bodega. § 87(2)(b) and § 87(2)(b) waited for § 87(2)(b) outside. When § 87(2)(b) exited the bodega, he joined § 87(2)(b) and § 87(2)(b) and together they walked towards § 87(2)(b)'s apartment. At this time, the four officers exited the unmarked car and instructed them to stop.

The officers asked § 87(2)(b) and § 87(2)(b) to walk with them back to the bodega, and then ordered them to get against the wall of the bodega. A marked van with approximately six uniformed officers arrived at the location. Only one officer in the van was female, identified through the investigation as PO Kathleen Grant, and the rest were male.

§ 87(2)(b) and § 87(2)(b) stood with their hands against the wall of Victor's Grocery. An officer, identified from § 87(2)(b)'s description as PO Darnay Harris, stated, "We've been watching you go back and forth into that building," referring to the bodega. § 87(2)(b) informed the CCRB that she had entered the bodega only twice that day, both times with § 87(2)(b) and she and § 87(2)(b) did not steal or engage in any criminal activity while inside.

At this point, § 87(2)(b)'s aunt, § 87(2)(b) came outside and several onlookers began to crowd around. § 87(2)(b) was taken to the prisoner van, and § 87(2)(b) and § 87(2)(b) remained against the wall of the bodega. PO Kathleen Grant searched § 87(2)(b) and removed the \$100 from her pocket. PO Grant questioned § 87(2)(b) about the money, and § 87(2)(b) explained that the \$100 was a gift from her grandmother. A white male officer, identified from § 87(2)(b)'s description as PO John Acconi, asked PO Grant if she found any contraband. § 87(2)(b) answered for her, stating, "No," and PO Acconi said to § 87(2)(b) "Shut up, smartass."

At this time, § 87(2)(b)'s mother, § 87(2)(b) came outside and stated that she was going to call Internal Affairs. § 87(2)(b) briefly went to her apartment building, presumably to call IAB, and stated when she returned, "IAB is coming to your precinct." One of the officers said, "Then we're putting them through the system." PO Kathleen Grant handcuffed one of § 87(2)(b)'s wrists. § 87(2)(b) began to cry and asked, "Why am I getting locked up?" An officer, identified from § 87(2)(b)'s description as PO Kevin Matthews, handcuffed the other arm. § 87(2)(b) collapsed onto the floor intentionally. § 87(2)(b) explained that she was not resisting or struggling against the officers, but she remained limp and would not stand up.

PO Matthews and PO Grant picked up § 87(2)(b) by both arms and walked her towards the unmarked car. The officers placed § 87(2)(b)'s body against the side of the RMP, next to a rear door. § 87(2)(b)

§ 87(2)(b) held her body stiff and refused to allow the officers to put her in the back seat of the car. PO Matthews pulled § 87(2)(b)'s left arm up (she was rear handcuffed), causing pain. § 87(2)(b) screamed, "My arm!" PO Grant and PO Matthews positioned § 87(2)(b) in front of the open door, however, § 87(2)(b) stated that her head "wouldn't go in." § 87(2)(b) explained she could not lower her body because PO Matthews was still twisting her arm and it hurt too much. PO Matthews said, "The little bitch won't get in the car."

PO Grant pushed § 87(2)(b)'s waist, in an attempt to push her into the back seat of the car. § 87(2)(b) refused to bend lower to get in. PO Grant grabbed § 87(2)(b) around the front of her neck with both hands. § 87(2)(b) yelled, "Ma, she's choking me!" § 87(2)(b) estimated that PO Grant kept her hands around her neck for about a minute. § 87(2)(b) was screaming and crying. She was able to breathe, but it was difficult. The officers managed to get § 87(2)(b) inside of the car.

The officers transported the three prisoners to the station house. PO Kathleen Grant took § 87(2)(b) into a room with another female officer who § 87(2)(b) recognized. § 87(2)(b) stated that the second officer was named Garvin, with whom she interacted regarding school matters. PO Grant and PO Garvin asked § 87(2)(b) to take off her jacket, sneakers, pants and underwear, and then squat. PO Grant conducted a visual search of § 87(2)(b)'s person, but did not ask § 87(2)(b) to spread her buttocks. PO Garvin searched the interior pockets of § 87(2)(b)'s coat and found a marijuana "roach" clip. § 87(2)(b) stated that she did not have any marijuana in her pockets, simply a metal clip. § 87(2)(b) did not know whether § 87(2)(b) or § 87(2)(b) were also strip-searched, but she knew that officers found seven "pieces" of heroin on § 87(2)(b).

§ 87(2)(b) was taken to a detention room after she was strip-searched. PO Grant entered the room, and § 87(2)(b) stated that she felt dizzy, and her left arm hurt. PO Grant convinced § 87(2)(b) to seek medical treatment. § 87(2)(b) was transported to § 87(2)(b) where she received medical treatment for her left arm, which was swollen.

§ 87(2)(b) was § 87(2)(b) years old at the time of her arrest, a juvenile, § 87(2)(b). § 87(2)(b) stated that she was charged with § 87(2)(b). § 87(2)(b)

§ 87(2)(b) provided her statement to CCRB on March 26, 2003 (Encl. 11.a-d). She was interviewed at the home of her sister, § 87(2)(b). § 87(2)(b) lives directly above § 87(2)(b) in #§ 87(2)(b) with her mother, § 87(2)(b).

A few minutes before 2:35pm on January 31, 2003, § 87(2)(b) was sitting in the second floor apartment that she shares with her mother, § 87(2)(b). § 87(2)(b) called for § 87(2)(b) to come upstairs, and she asked § 87(2)(b) to get something for her from the store across the street, on the corner of St. John's Place and Albany Ave. § 87(2)(b) gave her granddaughter some money, and § 87(2)(b) left the apartment. § 87(2)(b) returned shortly afterwards, and gave the requested items to § 87(2)(b). Then § 87(2)(b) went back outside again.

§ 87(2)(b) went downstairs to her sister's apartment and sat on a couch in the living room, which faces onto St. John's Place. § 87(2)(b) looked out of the window and saw § 87(2)(b) and two male individuals lined up against a store window on the corner of Albany Avenue and St. John's Place. § 87(2)(b) identified the males as § 87(2)(b) and § 87(2)(b) (last name unknown).

§ 87(2)(b) ran outside. Parked near by the bodega were a marked van (a "paddy wagon") and one unmarked police car. Later on, two more police cars arrived. § 87(2)(b) asked the officers what was going on. She was informed that one of the teenagers was observed making a hand to hand transaction, and the teenagers were being checked for warrants. § 87(2)(b) looked around the corner, and saw an officer holding a middle-aged man by his jacket in front of the liquor store on Albany

Avenue, about thirty feet from the corner. § 87(2)(b) identified the man as a drug user, but she did not know his name. A second unmarked car arrived and § 87(2)(b) was handcuffed.

§ 87(2)(b) is familiar with several of the officers involved in this incident because they arrested her child's father, § 87(2)(b). She recognized Sgt. Frontera, PO Matthews, PO Greene, a female officer who always patrols with them (PO Kathleen Grant), and PO Brager, who arrived later on.

§ 87(2)(b) stated that PO Matthews was holding § 87(2)(b) by the back of her neck against the side of a police car when the last police car arrived on the scene. PO Brager exited this vehicle. PO Matthews told § 87(2)(b) to get in the police car that she was leaning against. § 87(2)(b) said, "I don't want to go to jail mister, I don't want to be arrested, I didn't do nothing!" Then § 87(2)(b) tried to turn around to talk to her mother, § 87(2)(b). According to § 87(2)(b), PO Matthews started pulling § 87(2)(b)'s right arm up, as if to shove her into the car. PO Matthews used his right hand to pull § 87(2)(b)'s arm, and his left arm was still on the back of § 87(2)(b)'s neck. § 87(2)(b) yelled at PO Matthews that he was hurting her arm. At this point, PO Brager ran around the car and began pushing § 87(2)(b) by the top of her head to get her into the back seat. PO Brager said, "Get in the car!" § 87(2)(b) and the other people watching screamed at the officers, "What are you all doing?!" PO Brager said, "Back the fuck up!" § 87(2)(b) got in the car, but then put a foot out as if she was going to try to stand back up. PO Brager "mushed" § 87(2)(b) in the face with his open palm, pushing her back down into her seat. § 87(2)(b) yelled to her aunt, "§ 87(2)(b) he's slapping me!" § 87(2)(b) clarified that she did not see PO Brager or any other officer slap § 87(2)(b).

§ 87(2)(b) announced that she was going inside to call Internal Affairs. § 87(2)(b) was inside of the car at the time, and PO Matthews (who was standing outside of the car) said to § 87(2)(b) "Your mother went inside to call Internal Affairs. That shit don't scare me." § 87(2)(b) clarified that this was the only discourteous statement directed towards § 87(2)(b). PO Brager said, "Do what the fuck you want to do, you want my shield number?" PO Brager held his shield out, but then tucked it into his shirt when § 87(2)(b) and § 87(2)(b) approached. § 87(2)(b) and § 87(2)(b) were placed inside of the marked van, and the officers got ready to leave.

PO Matthews said to § 87(2)(b) "Have a nice fuckin' day § 87(2)(b)." (§ 87(2)(b) is the last name of her child's father). Sgt. Frontera said to § 87(2)(b) "Go get a fucking job and get off the drugs." PO Matthews told § 87(2)(b) "Go take care of your fucking kid." § 87(2)(b) and § 87(2)(b) crossed the street, and § 87(2)(b) went inside to call Internal Affairs.

§ 87(2)(b) was interviewed at his mother's § 87(2)(b)'s apartment, on March 26, 2003 (Encl. 12.a-d). § 87(2)(b) is § 87(2)(b) years old and he is the brother of § 87(2)(b). § 87(2)(b) stated that on January 31, 2003 at approximately 2:35pm he was sitting in his mother's living when he heard his aunt, § 87(2)(b) scream, "No, oh no!" and run outside. § 87(2)(b) ran to the living room window, § 87(2)(b), and saw a marked van (a "paddy wagon"), an unmarked minivan and three unmarked police cars. § 87(2)(b) ran outside, and saw § 87(2)(b) and two boys, § 87(2)(b) and § 87(2)(b) lined up against the wall of Duarte Grocery, located on the corner of Albany Ave and St. John's Place. There were approximately ten police officers outside, two of whom were female. Some of the officers were dressed in uniform, and some were dressed in plainclothes. § 87(2)(b) was not handcuffed at that time. § 87(2)(b)'s mother, § 87(2)(b) also ran outside and she was asking the officers why they arrested § 87(2)(b). The officers told § 87(2)(b) "Just wait." § 87(2)(b) yelled, "Ma, ma, I don't know what's going on!"

The officers handcuffed § 87(2)(b) and § 87(2)(b). § 87(2)(b) was crying at this time. § 87(2)(b) stated that § 87(2)(b) was taken from the wall towards one of the unmarked cars, but as she was about to enter the backseat, § 87(2)(b) started moving around. A black female officer was standing with § 87(2)(b) at the time, trying to get her in the back seat of the car. § 87(2)(b) was standing on the other side of the car.

The rear door was open, and § 87(2)(b) was leaning against the door saying, “Ma, I don’t want to get in the car, I didn’t do nothing.” According to § 87(2)(b) § 87(2)(b) started jumping up and down, and the black female officer said, “Get in the car!” § 87(2)(b) yelled repeatedly, “Get off of me, get off of me you stupid bitch!” A male officer, identified from the description § 87(2)(b) provided as PO Kevin Matthews, came over to assist the female officer. PO Matthews said to § 87(2)(b) “Shut the hell up and get in the car!” § 87(2)(b) also stated that PO Matthews said, “Shut the fuck up,” to § 87(2)(b) PO Matthews then smacked § 87(2)(b) on the right side of her face at least three times before she bent down and got in the back seat of the car.

§ 87(2)(b) admitted that he began to scream “What the fuck are you all doing to my little sister!” Three officers got in the car with § 87(2)(b) § 87(2)(b) recalled that PO Matthews sat in the back seat with § 87(2)(b) but he did not recall who the other officers were. § 87(2)(b) and § 87(2)(b) were taken to the “paddy wagon.” § 87(2)(b) did not witness any police misconduct regarding their arrests.

When asked if an officer grabbed § 87(2)(b) by her neck, § 87(2)(b) initially stated yes. When questioned further, § 87(2)(b) admitted that he did not witness such contact. Once § 87(2)(b) was in the car, § 87(2)(b) informed the officers that she was going to call Internal Affairs. PO Matthews said, “Call whoever the fuck you want to call. Call the fucking ghost busters.”

§ 87(2)(b) stated that there was one uniformed officer in particular who was cursing, who he described as a chubby white male, with a toupee, who was assigned to the prisoner van (possibly Sgt. Frontera). This officer said to the crowd, “You fucking assholes, get the fuck out of here,” and called § 87(2)(b) a “fucking bitch.” § 87(2)(b) said to this officer, “You take off your badge and gun and we can fight.” The officer responded, “I’m going to lock your ass up too.” § 87(2)(b) left and went inside of his mother’s apartment.

The CCRB attempted to schedule a photo session with § 87(2)(b) to identify the subject of his threat of arrest allegation. § 87(2)(b) did not respond to numerous calls and letters sent to his residence and his mother’s residence.

Attempts to Interview § 87(2)(b) and § 87(2)(b)

§ 87(2)(b) provided the CCRB with a telephone number and address for § 87(2)(b) In response to one telephone call and letter sent to his residence, § 87(2)(b) left a voice mail message for the assigned investigator on April 3, 2003. § 87(2)(b) did not respond to the investigator’s four additional phone calls and two additional letters.

At the commencement of this investigation, § 87(2)(b)’s arrest was sealed, and there was no public record of him in the Booking Arraignment Disposition System (Encl. 28). § 87(2)(b) informed the CCRB that her brother, § 87(2)(b) had contact information for § 87(2)(b) However, § 87(2)(b) informed the assigned investigator that he did not have a telephone number, address or other contact information for § 87(2)(b) § 87(2)(b)’s address was listed in the command log (Encl. 24) as § 87(2)(b) in Brooklyn, which is a large apartment building. There were no listings in Coles Directory for anyone with the surname § 87(2)(b) at that residence. One letter addressed to § 87(2)(b) was sent to the building, and one letter was sent to the Postmaster inquiring about forwarding information for § 87(2)(b) The Postmaster responded that there was no record, current or previous, of a § 87(2)(b) at § 87(2)(b). A DMV inquiry and a search in the Brooklyn White Pages also yielded negative results.

Witness Canvass

An unsuccessful witness canvass was conducted on the corner of St. John’s Place and Albany Avenue in Brooklyn on March 26, 2003 (Encl. 35.e). While at the location, the undersigned investigator witnessed several hand to hand drug transactions.

Officer Statements

Prisoner Van

Sgt. Frank Frontera, PO Robert Brager and PO Kathleen Grant were assigned to the 77th Precinct Street Narcotics Enforcement Unit prisoner van on January 31, 2003. The prisoner van was marked (#7602) and the three were dressed in uniform.

Sgt. Frank Frontera provided his statement to CCRB on May 15, 2003 (Encl. 16.a-c). He stated that on January 31, 2003, his SNEU team conducted narcotics observations on the corner of St. John's Place and Albany Avenue. At approximately 2:35PM, the plainclothes observations team, PO Acconi and PO Luppino, were stationed at a rooftop post near the intersection.

The observation team observed the following, which they transmitted over the radio: A steerer, later identified as § 87(2)(b) met buyers on the corner of St. John's Place and Albany Avenue, and walked them to St. John's Place and Sterling Avenue. The buyers handed money to a female, later identified as § 87(2)(b). § 87(2)(b) ran across St. John's Place, went inside of a building with a red door, and came back a few minutes later. § 87(2)(b) handed something to the seller, later identified as § 87(2)(b) and § 87(2)(b) handed the item to the buyer.

After observing eight transactions, PO Acconi and PO Luppino instructed the apprehension team, Officers Darnay Harris and Kevin Matthews, to move in. PO Harris and PO Matthews converged on the corner in a green unmarked car. A few seconds later, Sgt. Frontera, PO Brager and PO Grant responded in the prisoner van. When Sgt. Frontera exited the prisoner van, § 87(2)(b) and § 87(2)(b) were lined up against a wall and PO Harris and PO Matthews were frisking and searching them for weapons.

There were already four prisoners inside of the prisoner van. Sgt. Frontera remained by the side of the van to supervise them, about twenty-five feet from where the newest prisoners were being frisked and searched.

Before § 87(2)(b) and § 87(2)(b) were handcuffed, a woman ran out of the same building on St. John's Place that § 87(2)(b) retrieved the narcotics from. The woman, who Sgt. Frontera later found out was § 87(2)(b)'s aunt § 87(2)(b) yelled, "Sgt. Frontera you're a dead man walking! You're finished! We're going to get you!" Sgt. Frontera stated that, although, § 87(2)(b) was yelling his name, she ran past him and crossed the street, and did not seem to recognize him. Sgt. Frontera later realized at the station house that his SNEU team arrested § 87(2)(b)'s boyfriend several times for selling marijuana.

§ 87(2)(b) began riling up bystanders, and a crowd of fifteen to twenty people gathered near where the arrests were taking place. At some point during the commotion, § 87(2)(b) and § 87(2)(b) were handcuffed. § 87(2)(b) and § 87(2)(b) were taken to the prisoner van. Because she was female, § 87(2)(b) was taken to the apprehension car.

§ 87(2)(b)'s mother, § 87(2)(b) ran out of the same building with the red door, and began screaming at PO Harris and PO Matthews. Once her mother started screaming, § 87(2)(b) refused to let PO Harris and PO Matthews place her in their vehicle. § 87(2)(b) yelled that she was not going to go inside of the car, and Sgt. Frontera heard other officers tell her that she had to get in the car. Sgt. Frontera stated that his vision was partially obstructed by a car parked in front of him, and he could not see which officers were dealing with § 87(2)(b) at that time. Sgt. Frontera stated, "I saw her § 87(2)(b) standing in front of the car. The next minute she was in the car." Before the prisoner van drove away, § 87(2)(b) and § 87(2)(b) called Sgt. Frontera by name and yelled at him that they were going to get back at him, and they were calling Internal Affairs.

Sgt. Frontera explained that, because the prisoners were arrested for narcotics, everyone was strip-searched, including § 87(2)(b). Sgt. Frontera stated that § 87(2)(b) did not initially complain of injury, however, once IAB officers arrived at the precinct (about two hours after the prisoners were brought inside), § 87(2)(b) started complaining of injury to her arm or forearm. Sgt. Frontera did not know how § 87(2)(b) sustained the alleged injury.

Sgt. Frontera denied using profanity or hearing other officers use profanity. He also denied threatening to arrest a bystander or hearing other officers do so. Sgt. Frontera stated that he was not requested to provide his shield number, nor were any other officers at the incident.

PO Robert Brager provided a statement to CCRB on May 12, 2003 (Encl. 14.a-c). PO Brager stated that on January 31, 2003, at approximately 2:35PM, he was already transporting two or three prisoners from previous narcotics arrest locations. PO Brager stated that he and the rest of the SNEU team went to the vicinity of St. John's Place and Albany Avenue; which is known for heroin, crack and marijuana sales, to set up for another narcotics enforcement operation. PO Brager, Sgt. Frontera and PO Grant waited in the van until the observation post, PO Acconi and PO Luppino, "called the set" [reported narcotics activity that they observed] and the apprehension team moved in.

PO Brager parked the prisoner van on St. John's Place, about twenty or thirty feet from the corner of Albany Avenue. PO Brager stated that, since he was transporting prisoners, he stayed either by the van or inside of the van the entire time.

Civilians started to crowd around the corner because § 87(2)(b) was upset that her daughter, § 87(2)(b) was being arrested. PO Brager stated that other members of his SNEU team, he did not recall whom, were speaking with § 87(2)(b) and the other perpetrators on the corner.

PO Brager stated that the only prisoner who provided any difficulty for the officers was § 87(2)(b). Since § 87(2)(b) was female and a juvenile, she was transported separately in one of the apprehension cars. According to PO Brager, § 87(2)(b) stood outside the apprehension vehicle and ignored officers' orders to sit down in the back seat. PO Brager did not know which officers were instructing § 87(2)(b) to get in the vehicle, but he was certain that PO Grant was *not* involved. Eventually, PO Brager saw § 87(2)(b) get in the car, but he did not recall if she sat down on her own, or if officers placed her inside, and added that he wasn't paying much attention.

PO Brager stated that he did not see an officer pull § 87(2)(b)'s arm, or make physical contact with her neck, while she was standing by the police car, and he did not know whether § 87(2)(b) was injured during this incident. PO Brager denied making any physical contact with § 87(2)(b).

PO Brager stated that he, Sgt. Frontera and PO Grant drove away in the prisoner van before § 87(2)(b) was transported. PO Brager stated that he did not participate with crowd control, and denied saying to the crowd, "Get the fuck back," or, "Do what the fuck you want to do, do you want my shield number?" PO Brager also stated that he was not requested to provide his shield number, and he denied yelling out his name. PO Brager denied cursing at § 87(2)(b) or any of her family members, and he did not hear other officers using profanity. PO Brager did not recall any teenage boys being particularly rowdy, and he did not hear any officers threaten to arrest a teenage boy at this incident. PO Brager stated that he was not familiar with § 87(2)(b) or any of her relatives.

PO Kathleen Grant provided her statement to the CCRB on July 24, 2003 (Encl. 22.a-c). PO Grant recalled that at approximately 2:40PM on January 31, 2003, the observation post (PO Acconi and PO Luppino) made a radio transmission that there was drug activity on the corner of St. John's Place and Albany Avenue. PO Acconi and PO Luppino provided physical descriptions of the perpetrators and described their clothing. The catch car (PO Matthews and PO Harris) arrived at the corner first and conducted the actual stop of the drug dealers. PO Grant and her partners converged on the corner a few minutes later. PO Grant stated that she, PO Brager and Sgt. Frontera exited the van and walked to the

corner of St. John's Place and Albany Avenue. PO Grant saw that PO Matthews and PO Harris had taken three male individuals into custody.

PO Acconi and PO Luppino came down from their observation post and joined PO Grant and the other officers on the corner. A crowd of approximately twenty people began to form. A female from the crowd yelled, "My niece, my niece, what are you doing to my niece?" PO Grant thought this was strange because as far as she knew, the three prisoners were male. The crowd called the SNEU team, "You pigs!" Some yelled at Sgt. Frontera, "Sarge! You're gonna die, you're a dead man!" PO Grant and the other officers instructed the crowd to get back. PO Grant stated that she did not say, "Back the fuck up," and neither did her teammates. Sgt. Frontera instructed his SNEU team to get the prisoners back to the station house immediately.

PO Grant and the other officers discovered that one of the prisoners was female. PO Grant stated that the female prisoner, § 87(2)(b) was rude and loud. PO Grant did not recall which vehicle § 87(2)(b) was transported in. PO Grant stated that she did not bring § 87(2)(b) to a vehicle, and she did not know which officer(s) did. PO Grant recalled that there was a lot of screaming, and § 87(2)(b) was fighting when she was taken to a vehicle. When asked, PO Grant stated that she did not specifically recall seeing PO Acconi bring § 87(2)(b) to a vehicle. PO Grant did not see an officer pull § 87(2)(b)'s arm up, pull her handcuffs, or slap her, and PO Grant stated that she did not recall hearing § 87(2)(b) complain of pain. PO Grant denied making physical contact with § 87(2)(b) at the scene.

PO Grant denied using profanity during this incident and stated that she did not hear other officers use profanity. PO Grant further stated that she did not hear PO Matthews say to § 87(2)(b)'s aunt, "Have a nice fucking day § 87(2)(b) nor did she hear Sgt. Frontera say to the aunt, "Go get a fucking job and get off the drugs, take care of your fucking kid."

PO Grant searched § 87(2)(b) at the 77th Precinct station house. PO Grant explained that the search was extensive but not an actual strip-search. PO Grant took § 87(2)(b) into the bathroom and asked her to pull up her shirt and shake out her bra. PO Grant asked § 87(2)(b) only to pull up her clothing and shake things out, but did not at any time ask § 87(2)(b) to strip naked. PO Grant did not recall whether she asked § 87(2)(b) to take off her pants or underwear, but stated that she may have instructed § 87(2)(b) to take off her pants and underwear and shake them out. PO Grant further stated that she may have asked § 87(2)(b) to squat during the search, but she did not believe so.

Apprehension Team

PO Kevin Matthews and PO Darnay Harris were assigned to the 77th Precinct Street Narcotics Unit Enforcement Team apprehension team on January 31, 2003. PO Matthews and PO Harris were dressed in uniform and they were assigned to a green unmarked car (#760).

PO Kevin Matthews provided his statement to CCRB on July 24, 2003 (Encl. 20.a-c). PO Matthews stated that at approximately 2:40PM on January 31, 2003, the observation team (PO Luppino and PO Acconi) were posted on a rooftop across the street from Albany Avenue and St. John's Place to observe drug activity. PO Matthews received a radio transmission from PO Luppino and PO Acconi with detailed descriptions of three drug dealers at that location. PO Matthews and PO Harris drove to the corner and exited their vehicle. PO Matthews asked the three individuals to stand against the wall of a nearby building. The observation post communicated to PO Matthews through the radio that the perpetrators were positively identified. The officers in the prisoner van arrived less than a minute later.

PO Matthews initially thought that all three of the people in custody were male, but later noticed that one of the individuals was female. PO Matthews handcuffed one of the males and walked him over to the prisoner van. When PO Matthews returned to the corner, the other two prisoners were handcuffed and a large crowd was beginning to form. PO Matthews stated that the female prisoner, § 87(2)(b) became loud and boisterous after she was handcuffed. PO Matthews immediately began conducting crowd control. PO Matthews heard a female say, "That's my niece, what the fuck's going on? You white motherfuckers!"

PO Matthews stated that he is familiar with § 87(2)(b)'s aunt, § 87(2)(b) because a few months prior to this incident, his SNEU team arrested the father of § 87(2)(b)'s child. However, PO Matthews stated that he did not interact with § 87(2)(b) during this incident.

§ 87(2)(b) was taken to PO Matthews' and PO Harris' unmarked Lumina by PO John Acconi. § 87(2)(b) refused to get inside of the car and she started yelling. PO Matthews stated that he did not actually see PO Acconi put § 87(2)(b) in the car because he was busy controlling the crowd. The louder § 87(2)(b) raised her voice, the louder the crowd became. People in the crowd yelled, "You guys are dead! You haven't heard the end of this." PO Matthews estimated that there were fifty to seventy people in the crowd, and he instructed them all to disperse. PO Matthews denied instructing the crowd to "Back the fuck up."

PO Matthews did not see PO Acconi pull § 87(2)(b) by her arm or by her handcuffs, or hear PO Acconi say to § 87(2)(b) "Get the fuck in the car." PO Matthews did not see PO Grant near § 87(2)(b) as she was being taken to the Lumina, and he did not see PO Grant put her hands around § 87(2)(b)'s neck, push § 87(2)(b) into the back seat of the car or smack § 87(2)(b) on the side of the face.

PO Matthews recalled that there was a teenage male in the crowd who stated, "What the fuck's going on here? That's my sister, she's only § 87(2)(b)." PO Matthews stated that he ignored the male for the most part, and added that if he said anything to the male it would have been an order to back up. PO Matthews denied stating to the male that he could be arrested if he did not back up, and he did not hear another officer threaten to arrest this individual.

PO Matthews and PO Harris transported § 87(2)(b) to the 77th Precinct station house. PO Matthews stated that § 87(2)(b) did not complain of pain or injury while she was being transported, but she was crying. PO Matthews stated that he did not make any physical contact with § 87(2)(b) at any time during this incident. PO Matthews denied saying to § 87(2)(b)'s aunt, "Have a nice fucking day § 87(2)(b)." PO Matthews denied hearing Sgt. Frontera say to the aunt, "Go get a fucking job and get off the drugs."

Observation Team

PO John Acconi and PO David Luppino were assigned to the 77th Precinct Street Narcotics Unit observation team on January 31, 2003. PO Acconi and PO Luppino were dressed in plainclothes.

PO John Acconi provided his statement to CCRB on July 16, 2003 (Encl. 18.a-c). On January 31, 2003, PO Acconi was assigned to the 77th Precinct Street Narcotics Enforcement Unit (SNEU).

PO Acconi recorded in his memo book that at 12:30PM, the SNEU team was conducting a narcotics operation on the corner of Albany Avenue and St. John's Place. PO Acconi and PO Luppino were posted on the rooftop of a building situated diagonally across the corner from the area they were observing. PO Acconi saw three individuals, who at the time he believed were all male, making hand-to-hand drug transactions. PO Acconi stated that it was later discovered that one of the individuals was female and her name was § 87(2)(b). PO Acconi observed § 87(2)(b) enter § 87(2)(b) repeatedly, return to the corner and hand something to the two other males, who then sold the items to people on the street. PO Acconi estimated that he observed five drug transactions, of a substance he believed to be heroin, and then instructed the other members of his team to converge on the corner.

The apprehension car and prisoner van moved in. At this time, PO Acconi and PO Luppino descended to street level. From the observation post, PO Acconi and PO Luppino went inside of § 87(2)(b) to look for § 87(2)(b)'s stash. The officers entered the lobby only, did not find anything and left.

When PO Acconi and PO Luppino exited § 87(2)(b), § 87(2)(b) and the two males were standing against a wall in handcuffs. PO Acconi stated that he joined the other officers on the corner. § 87(2)(b) was compliant at that time, but then her mother came outside and started cursing at the

officers, stating, “You bunch of white motherfuckers, get your hands off of my daughter” and, “You’re harassing my daughter.” § 87(2)(b) s aunt also came outside and yelled at the officers in a similar manner. Once her relatives started cursing, § 87(2)(b) became uncooperative. PO Acconi and the other officers decided to transport the prisoners immediately in order to diffuse the situation. PO Acconi grabbed § 87(2)(b) s left elbow to take her towards the unmarked car. § 87(2)(b) pulled away and stated, “Get your fucking hands off of me you fucking pigs!” PO Acconi stated that he used “cuff control” to regain control. PO Acconi explained that he twisted one of the § 87(2)(b) s handcuffs (the actual metal ring) and told § 87(2)(b) that he wanted her to walk to the unmarked car and sit down in the back seat. § 87(2)(b) complied—she walked towards the unmarked car and sat down in the back seat. PO Acconi clarified that he guided § 87(2)(b) a distance of a few feet from the wall to the car. PO Acconi denied pulling § 87(2)(b) by her arm or twisting her arm, and stated that § 87(2)(b) did not complain of pain. PO Acconi further stated that he did not punch § 87(2)(b) and neither did any other officer.

PO Acconi took § 87(2)(b) to the car unassisted. When asked, PO Acconi stated that PO Grant did not help him. PO Acconi stated that he did not see PO Grant put her hands around § 87(2)(b) s neck. PO Acconi further stated that he did not use profanity when trying to take § 87(2)(b) to the car, and denied saying, “The little bitch won’t get in the car.”

A crowd of about five to ten civilians began to form. PO Acconi stated that he did not hear officers instruct the crowd to stand back and he specifically did not hear PO Brager say to the crowd, “Get the fuck back.” PO Acconi did not recall seeing his partners have any specific interaction with § 87(2)(b) s aunt. When asked, PO Acconi stated that he did not hear an officer say to the aunt, “Have a nice fucking day § 87(2)(b) Maurice.” PO Acconi said that he did not hear Sgt. Frontera say to the aunt, “Go get a fucking job and get off the drugs.” PO Acconi did not hear PO Matthews say to the aunt, “Go take care of your fucking kid.” PO Acconi stated that he did not hear any of his partners used profanity, and he did not use profanity himself.

Police Documents

Sgt. Frontera prepared a **Medical Treatment of Prisoner** form and wrote that § 87(2)(b) complained of pain to her left elbow, but did not have visible injury (Encl. 30). The narrative of the **UF-61 Complaint Report** states that § 87(2)(b) and § 87(2)(b) were observed exchanging narcotics for US currency with two unapprehended buyers (Encl. 29.a-b).

Criminal Conviction History

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Subject Officer CCRB History (Encl. 5.a-d)

As of February 27, 2004, PO Matthews has one DCT trial pending for force, abuse of authority and offensive language allegations filed against him in 2002. At this time he does not have any additional substantiated allegations on his record. PO Acconi and PO Grant do not have any substantiated allegations against them. Sgt. Frontera is retired from the NYPD.

Conclusions and Recommendations

Officer Identification

§ 87(2)(b) loosely identified the SNEU team in question by name, however, it is evident that she did not match names with faces. The first officer interviewed, PO Brager, identified his teammates to the CCRB. The allegations attributed to a female officer were pled against PO Kathleen Grant, because she was the only female, and PO John Acconi identified himself as the subject officer who took § 87(2)(b) to the car.

Undisputed Facts

It is undisputed that on the afternoon of January 31, 2003, the 77th Precinct SNEU team stopped § 87(2)(b) and § 87(2)(b) at the corner of St. John's Place and Albany Avenue. It is known that § 87(2)(b) and § 87(2)(b) were arrested and strip-searched at the 77th Precinct stationhouse.

Credibility

§ 87(2)(g)
Both stated that PO Kenneth Greene was part of the SNEU team, but he was actually off-duty. § 87(2)(b) correctly described PO Greene as a white male, however § 87(2)(b) stated erroneously that he was black. § 87(2)(g)

§ 87(2)(g)
§ 87(2)(b) and § 87(2)(b) identified this officer as PO Brager, and § 87(2)(b)'s description of this officer, a tall white male officer with blond spiky hair and glasses, was clearly PO Matthews. § 87(2)(b)'s description of this officer matched PO Acconi with exception of his height. PO Acconi is 5'4", and § 87(2)(b) stated that the subject officer was 5'11".

§ 87(2)(g) According to § 87(2)(b)'s mother, she did not resist, but her aunt stated that she held her body stiff and tried to stand up again once she was seated. § 87(2)(b) § 87(2)(g) stated that she not only refused to get in the car, but jumped up and down yelling, "Get off of me, get off of me you stupid bitch!" § 87(2)(b) § 87(2)(g) stated that she intentionally went limp and fell to the floor. Neither her family nor the officers involved corroborated this.

§ 87(2)(g)
According to § 87(2)(b) and § 87(2)(b) the male officer slapped § 87(2)(b) repeatedly in the face. § 87(2)(g) this was not alleged by § 87(2)(b) herself. § 87(2)(b) also stated that a black female officer assisted the subject officer, but no such officer was assigned to this set. § 87(2)(b) § 87(2)(g) stated that the officer pulled § 87(2)(b)'s arm up to shove her in the car, then later "mushed" her niece in the face with his open palm when § 87(2)(b) tried to get up from the backseat. § 87(2)(g)

§ 87(2)(g)

The officers § 87(2)(g) recalled § 87(2)(g) refusing to get in the car, and a crowd forming, § 87(2)(g). PO Acconi identified himself as the subject of the physical force allegation and added that he was unassisted, § 87(2)(g). PO Acconi described using a tactic he learned at the police academy called “cuff control” whereby, in order to gain compliance, he twisted one of § 87(2)(b)’s handcuffs into her wrist. § 87(2)(b) stated that PO Acconi simply pulled her left arm upwards.

§ 87(2)(g)

A. Force: PO Kathleen Grant used physical force against § 87(2)(b)

§ 87(2)(b) alleged that, while trying to get her into the backseat of a police car, PO Kathleen Grant pushed her waist and grabbed her around the front of her neck with both hands. § 87(2)(g)

§ 87(2)(b) did not mention said force to EMS or the medical staff at § 87(2)(b). § 87(2)(g)

B. Force: PO John Acconi used physical force against § 87(2)(b)

§ 87(2)(b) admittedly would not lower her body to get into a police vehicle, and a hostile crowd, comprised of her family and other civilians, began to form. § 87(2)(g)

According to him, it was the twist of a handcuff, and according to § 87(2)(b) PO Acconi pulled her rear-handcuffed left arm up and away from her body. § 87(2)(g)

The use of force is defined in Patrol Guide Procedure 203-11: “Only that amount of force necessary to overcome resistance will be used to effect an arrest or take a mentally ill or emotionally disturbed person into custody. (Encl. 1)” § 87(2)(g)

C. Discourtesy: PO John Acconi spoke obscenely and/or rudely to § 87(2)(b)

§ 87(2)(b) alleged that the officer who pulled her arm, PO Acconi, said to her, “Shut up smartass” and, “The little bitch won’t get in the car.” § 87(2)(g)

D. Discourtesy: Sgt. Frank Frontera spoke obscenely and/or rudely to § 87(2)(b)

E. Discourtesy: PO Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)

§ 87(2)(b) stated that, just prior to leaving the scene, Sgt. Frontera and PO Matthews barraged her with a litany of profanity. She alleged specifically the following, that PO Matthews said, “Have a nice fuckin’ day § 87(2)(b) (§ 87(2)(b) is the last name of her son’s father) and, “Go take care of your fucking kid,” and that Sgt. Frontera remarked, “Go get a fucking job and get off the drugs.” § 87(2)(g)

§ 87(2)(b) With exception of PO Greene, who wasn’t even on duty at the time of this incident, § 87(2)(b) provided accurate physical descriptions of the officers she identified by name. § 87(2)(g)

F. Discourtesy: PO Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)

G. Discourtesy: PO Kevin Matthews spoke obscenely and/or rudely to § 87(2)(b)

§ 87(2)(b) alleged that, while trying to get § 87(2)(b) into a police vehicle, PO Matthews stated to her, “Your mother went inside to call Internal Affairs. That shit don’t scare me.” § 87(2)(b) made a related allegation. According to § 87(2)(b) when his mother, § 87(2)(b) announced that she was going to call Internal Affairs, PO Matthews responded, “Call whoever the fuck you want to call. Call the fucking ghost busters.” § 87(2)(b) and § 87(2)(b) did not corroborate either allegation § 87(2)(g)

H. Discourtesy: Officers spoke obscenely and/or rudely to individuals.

§ 87(2)(b) and § 87(2)(b) alleged that officers used profanity while dispersing the crowd, making statements such as, “Back the fuck up, mind your business, move back.” In the past, OATH and DCT decisions have maintained that “depending on the circumstances, profanity is permissible where the officer has resorted to such language in order to forcefully make a point, to gain compliance with an order or direction or in the heat of a highly dangerous situation (OATH, Police Department v. Vincent Matias and Karen Bitchatchi, 1996/00 1997/00). (Encl. 2.a-1)” § 87(2)(b) informed the CCRB that the crowd was protesting her daughter’s arrest. § 87(2)(g)

I. Abuse of Authority: An officer threatened to arrest § 87(2)(b)

§ 87(2)(b) informed CCRB that he threatened to fight an officer, and this officer threatened to arrest him. § 87(2)(b) described this officer as a chubby white male, with a toupee, assigned to the prisoner van § 87(2)(g)

J. Abuse of Authority: Sgt. Frank Frontera authorized the strip-search of § 87(2)(b)

It is undisputed that § 87(2)(b) was strip-searched at the 77th Precinct. § 87(2)(g)

§ 87(2)(b) Patrol Guide Procedure 208-05 states, “A strip-search will be utilized when the arresting officer reasonably suspects that weapons, contraband or evidence may be concealed upon the person or in the clothing in such a manner that they may not be discovered by the previous search methods. (Encl. 3)” § 87(2)(b) informed the CCRB that she was wearing her hair wrapped in a scarf underneath a baseball cap, a T-shirt, a basketball jersey, a leather coat and jeans, and the officers initially thought she was male due to her copious amount of clothing. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: